

### **REMARKS**

Claims 14-33 are pending in this application. Claims 14, 15, 17, 19, 23, 24, 26, 30, and 31 are amended herein. Support for the amendments to the claims may be found in the claims as filed originally. Reconsideration is requested based on the foregoing amendments and the following remarks.

#### **Objections to the Claims:**

Claims 14, 15, 17, 19, 23, 26, 30, and 31 were objected to for various informalities. Claims 14, 15, 17, 19, 23, 26, 30, and 31 were amended in substantial accord with the Examiner's suggestions. The Examiner's suggestions are appreciated. Withdrawal of the objection is earnestly solicited.

#### **Claim Rejections - 35 U.S.C. § 103:**

Claims 14, 15, 16, 19, 20, 31, 32, and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 7,433,691 to White (hereinafter "White") in view of U.S. Patent No. 6,529,735 to De Brito et al. (hereinafter "De Brito"). The rejection is traversed. Reconsideration is earnestly solicited.

The second and third clauses of claim 14 recite:

Acquiring positional information on the first mobile station, the second mobile station and the further mobile station.

And:

Determining a route for the connection at a central routing device based on the positional information.

Neither White nor De Brito teaches, discloses, or suggests "determining a route for the connection at a central routing device based on the positional information," where the positional information is "on the first mobile station, the second mobile station and the further mobile station," as recited in claim 14. White, in fact, has no "central routing device" at all.

The Office Action acknowledges graciously in section 4, at page 3, that "White does not disclose acquiring positional information on the first mobile station, the second mobile station and the further mobile station; determining a route for the connection at a central routing device based on the positional information," and attempts to compensate for this deficiency by

combining White with De Brito. De Brito, however, is not “determining a route for the connection at a central routing device based on the positional information,” where the positional information is “on the first mobile station, the second mobile station and the further mobile station” either, and thus cannot make up for the deficiencies of White with respect to claim 14 in any case.

The communication network 101 of De Brito, for example, is not a “central routing device,” contrary to the assertion in section 4, at the top of page 4 of the Office Action. The home location register HLR1, rather, performs routing in De Brito. The home location register HLR1, for example, requests routing information from the second mobile switching center MSC2 by sending a Routing Request operation signal S55 to the mobile switching center MSC2. In particular, as described at column 2, lines 15-20:

Referring once again to FIG. 5, since the mobile station MS4 is located in the service area of the second mobile switching exchange MSC2, the home location register HLR1 requests routing information from the second mobile switching center MSC2 by sending a Routing Request operation signal S55 to the mobile switching center MSC2.

Since, in De Brito, the home location register HLR1 requests routing information from the second mobile switching center MSC2 by sending a Routing Request operation signal S55 to the mobile switching center MSC2, De Brito is not “determining a route for the connection at a central routing device based on the positional information,” where the positional information is “on the first mobile station, the second mobile station and the further mobile station,” either.

The mobile switching center in De Brito, moreover, allocates a first Temporary Local Directory Number (TLDN) and returns this TLDN in a Routing Request response signal S56, instead of “determining a route for the connection at a central routing device based on the positional information” as recited in claim 14. In particular, as described at column 10, lines 21-26:

The mobile switching center MSC2 checks its internal data structures and determines that the mobile station MS4 is currently idle. The mobile switching center allocates a first Temporary Local Directory Number (TLDN) and returns this TLDN in a Routing Request response signal S56.

Since the mobile switching center in De Brito allocates a first Temporary Local Directory Number (TLDN) and returns this TLDN in a Routing Request response signal S56, De Brito is not “determining a route for the connection at a central routing device based on the positional

information,” where the positional information is “on the first mobile station, the second mobile station and the further mobile station,” either.

Finally, in De Brito, the call is set up when the person using the mobile station MS4 answers, instead of “determining a route for the connection at a central routing device based on the positional information” as recited in claim 14. In particular, as described at column 10, lines 34-39:

The mobile station MS4 responds to the page signal by returning a page response signal S60, and when the person using the mobile station MS4 answers, the call is set up, i.e. a connection is established between the originating party MS1 and the LMAH-group member MS4.

Since, in De Brito, the call is set up when the person using the mobile station MS4 answers, De Brito is not “determining a route for the connection at a central routing device based on the positional information,” where the positional information is “on the first mobile station, the second mobile station and the further mobile station,” either.

The communication network 101 of De Brito, moreover, determines the geographical position of the *originating* party, instead of “positional information on the first mobile station, the second mobile station and the further mobile station” as recited in claim 14. There is no “further mobile station” in De Brito. In particular, as described at column 4, lines 16, 17, and 18:

At step 202, the communication network 101 determines the geographical position of the originating party.

Since the communication network 101 of De Brito determines the geographical position of the originating party, De Brito is not “determining a route for the connection at a central routing device based on the positional information,” where the positional information is “on the first mobile station, the second mobile station and the further mobile station,” either.

The communication network 101 of De Brito, moreover, determines the geographical positions of a *subset* of the mobile communication units MS2-MS5 associated with the common group address, instead of “positional information on the first mobile station, the second mobile station and the further mobile station” as recited in claim 14. In particular, as described at column 4, lines 22-24:

At step 203, the communication network 101 determines the geographical positions of at least a subset of the mobile communication units MS2-MS5 associated with the common group address.

Since the communication network 101 of De Brito determines the geographical positions of a subset of the mobile communication units MS2-MS5 associated with the common group address, De Brito is not “determining a route for the connection at a central routing device based on the positional information,” where the positional information is “on the first mobile station, the second mobile station and the further mobile station,” either.

The communication network 101 of De Brito, moreover, selects one of the mobile communication units MS2-MS5 associated with the common group address in dependence of the geographical positions of the originating party and said subset of the mobile communication units MS2-MS5 associated with the common group address, instead of “positional information on the first mobile station, the second mobile station and the further mobile station” as recited in claim 14. In particular, as described at column 4, lines 26-34:

At step 204a, the communication network 101 selects one of the mobile communication units MS2-MS5 associated with the common group address. The selection is made in dependence of the geographical positions of the originating party and said subset of the mobile communication units MS2-MS5 associated with the common group address. Typically, the communication service is set up so that the mobile communication unit that is determined as being closest to the originating party is selected.

Since the communication network 101 of De Brito selects one of the mobile communication units MS2-MS5 associated with the common group address in dependence of the geographical positions of the originating party and said subset of the mobile communication units MS2-MS5 associated with the common group address, De Brito is not “determining a route for the connection at a central routing device based on the positional information,” where the positional information is “on the first mobile station, the second mobile station and the further mobile station,” either. Consequently, even if White and De Brito were combined as proposed in the Office Action, claim 14 would not result.

The Office Action, in any case, asserts in section 4, in the first full paragraph at page 4, that:

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of White by specifically including acquiring positional information on the first mobile station, the second mobile station and the further mobile station; determining a route for the connection at a central routing device based on the positional information, as taught by De Brito, the motivation being in order to route a call to the nearest party based on location

information.

White, however, is trying to avoid using network bandwidth resources. In particular, as described at column 2, lines 36-40:

Accordingly, a need exists for a system and method capable of effectively and efficiently monitoring the approximate locations mobile nodes while using only minimal network bandwidth resources.

Modifying White as proposed by the Office Action, on the other hand, would necessarily involve using more network bandwidth resources, since the additional positional information, etc., would have to be transmitted over the network. It is submitted, therefore, that persons of ordinary skill in the art at the time the invention was made would not have modified White as proposed by the Office Action, since White wants to use only minimal network bandwidth resources. Claim 14 is thus submitted to be allowable. Withdrawal of the rejection of claim 14 is earnestly solicited.

Claims 15, 16, 19, and 20 depend from claim 14 and add additional distinguishing elements. Claims 15, 16, 19, and 20 are thus also submitted to be allowable. Withdrawal of the rejection of claims 15, 16, 19, and 20 is earnestly solicited.

Claim 31:

The third and fourth clauses of claim 31 recite:

A storage device to store positional information regarding the first mobile station, the second mobile station and the further mobile station.

A central routing device to determine a route for a connection between the first mobile station and the second mobile station via the further mobile station and to generate routing information for the route, the route being determined based on the positional information stored in the storage device.

Neither White nor De Brito teaches, discloses, nor suggests “a storage device to store positional information regarding the first mobile station, the second mobile station and the further mobile station,” and “a central routing device to determine a route for a connection between the first mobile station and the second mobile station via the further mobile station and to generate routing information for the route, the route being determined based on the positional information stored in the storage device,” as discussed above with respect to the rejection of claim 14. Claim 31 is thus also submitted to be allowable, for at least those reasons discussed above with respect to the rejection of claim 14. Withdrawal of the rejection of claim 31 is earnestly solicited.

Claim 32:

The second clause of claim 32 recites:

A route generating unit to generate a route for a connection between a first mobile station and a second mobile station by way of at least one further mobile station using positional information for the first mobile station, the second mobile station and the further mobile station.

Neither White nor De Brito teaches, discloses, nor suggests “a route generating unit to generate a route for a connection between a first mobile station and a second mobile station by way of at least one further mobile station using positional information for the first mobile station, the second mobile station and the further mobile station,” as discussed above with respect to the rejection of claim 14. Claim 32 is thus also submitted to be allowable, for at least those reasons discussed above with respect to the rejection of claim 14. Withdrawal of the rejection of claim 32 is earnestly solicited.

Claim 33:

The second clause of claim 33 recites:

A receiver to receive and evaluate connection routing information generated by a central routing device based on positional information for the mobile station, a first mobile unit and a second mobile unit.

Neither White nor De Brito teaches, discloses, nor suggests “a receiver to receive and evaluate connection routing information generated by a central routing device based on positional information for the mobile station, a first mobile unit and a second mobile unit,” as discussed above with respect to the rejection of claim 14. Claim 33 is thus also submitted to be allowable, for at least those reasons discussed above with respect to the rejection of claim 14. Withdrawal of the rejection of claim 33 is earnestly solicited.

Claims 17, 18, and 24-27:

Claims 17, 18, and 24-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over White and De Brito in view of U.S. Patent Application Publication No. 2005/0282554 to Shyy et al. (hereinafter “Shyy”). The rejection is traversed. Reconsideration is earnestly solicited.

Claims 17, 18, and 24-27 depend from claim 14 and add further distinguishing elements. Neither White nor De Brito teaches, discloses, nor suggests “acquiring positional information on the first mobile station, the second mobile station and the further mobile station,” and

“determining a route for the connection at a central routing device based on the positional information,” as discussed above with respect to the rejection of claim 14. Shyy does not either, and thus cannot make up for the deficiencies of either White or De Brito with respect to claims 17, 18, and 24-27. Claims 17, 18, and 24-27 are thus submitted to be allowable. Withdrawal of the rejection of claims 17, 18, and 24-27 is earnestly solicited.

Claims 21, 22, 28, and 29:

Claims 21, 22, 28, and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over White and De Brito in view of U.S. Patent Application Publication No. 2003/0081586 to Malladi et al. (hereinafter “Malladi”). The rejection is traversed. Reconsideration is earnestly solicited.

Claims 21, 22, 28, and 29 depend from claim 14 and add further distinguishing elements. Neither White nor De Brito teaches, discloses, nor suggests “acquiring positional information on the first mobile station, the second mobile station and the further mobile station,” and “determining a route for the connection at a central routing device based on the positional information,” as discussed above with respect to the rejection of claim 14. Malladi does not either, and thus cannot make up for the deficiencies of either White or De Brito with respect to claims 21, 22, 28, and 29. Claims 21, 22, 28, and 29 are thus submitted to be allowable. Withdrawal of the rejection of claims 21, 22, 28, and 29 is earnestly solicited.

Claims 23 and 30:

Claims 23 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over White, De Brito, Malladi, and Shyy. The rejection is traversed. Reconsideration is earnestly solicited.

Claims 23 and 30 depend from claim 14 and add further distinguishing elements. Neither White nor De Brito teaches, discloses, nor suggests “acquiring positional information on the first mobile station, the second mobile station and the further mobile station,” and “determining a route for the connection at a central routing device based on the positional information,” as discussed above with respect to the rejection of claim 14. Neither Malladi nor Shyy does not either, and thus cannot make up for the deficiencies of either White or De Brito with respect to claims 23 and 30. Claims 23 and 30 are thus submitted to be allowable. Withdrawal of the rejection of claims 23 and 30 is earnestly solicited.

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**Conclusion:**

Accordingly, in view of the reasons given above, it is submitted that all of claims 14-33 are allowable over the cited references. Allowance of all claims 14-33 and of this entire application is therefore respectfully requested.

Finally, if there are any formal matters remaining after this response, the Examiner is invited to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing this Amendment, please charge them to our Deposit Account No. 19-3935.

Respectfully submitted,

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